

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
10000 Ocean Gate, Suite 1000
Huntington Beach, CA 90802-4302
(562) 590-5071



RECORD PACKET COPY February 18, 1999

TO: Commissioners & Interested Persons

Tu 16a

FROM: Deborah Lee, Deputy Director
Teresa Henry, District Manager
Meg Vaughn, Staff Analyst

SUBJECT: CITY OF HUNTINGTON BEACH
LOCAL COASTAL PROGRAM AMENDMENT 3-98

Scheduled for Public Hearing and Commission Action at the meeting of March 9-12, 1999 at the Carmel Mission Inn, 3665 Rio Road, Carmel).

SUMMARY OF AMENDMENT REQUEST:

Request by the City of Huntington Beach to amend both the Land Use Plan and Implementation Plan portions of the LCP by changing the land use designation and zoning from Visitor Serving Commercial to High Density Residential, at an approximately 0.81 acre site located at the area along Pacific Coast Highway between 22nd Street and Goldenwest Street, inland to the alley south of Walnut, in the City of Huntington Beach, Orange County.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends denial of the Land Use Plan amendment because it is not in conformity with the Chapter 3 policies of the Coastal Act. Staff recommends denial of the Implementation Plan amendment because it is not in conformity with nor adequate to carry out the provisions of the certified Land Use Plan.

Staff is recommending denial of the LCP amendment request because the amendment would allow an area identified in the LUP as a significant visitor serving node within the City to be redesignated to the lower priority use of high density residential. Staff believes the proposed amendment is inconsistent with the visitor serving policies of the Coastal Act. The subject site is located across the street from the beach, at the intersection of two beach access corridors, Pacific Coast Highway and Goldenwest Street.

The motions to accomplish this are found on page 3.

Additional Information:

Copies of the staff report are available at the South Coast District Office of the Coastal Commission. To obtain copies of the staff report by mail, or for additional information, contact Meg Vaughn at the above address and telephone number.

STANDARD OF REVIEW:

For the proposed Land Use Plan amendment, the standard of review shall be conformance with the Chapter 3 policies of the Coastal Act. For the proposed Implementation Plan amendment, the standard of review shall be conformance with and adequacy to carry out the provisions of the certified Huntington Beach Land Use Plan.

SUMMARY OF PUBLIC PARTICIPATION:

Section 30503 of the Coastal Act requires public input in Local Coastal Program development. It states:

During the preparation, approval, certification, and amendment of any local coastal program, the public, as well as all affected governmental agencies, including special districts, shall be provided maximum opportunities to participate. Prior to submission of a local coastal program for approval, local governments shall hold a public hearing or hearings on that portion of the program which has not been subjected to public hearings within four years of such submission.

The City of Huntington Beach Planning Commission held a public hearing regarding Local Coastal Program Amendment 3-98 on October 27, 1998. In addition, the City of Huntington Beach City Council held a public hearing regarding Local Coastal Program Amendment 3-98 on November 16, 1998. Both public hearings were advertised in the City's local newspaper (Huntington Beach Independent) and notice was sent to property owners within a 1,000 foot radius and interested parties. All legal notices for the public hearings made reference to the future Local Coastal Program Amendment. Prior to the public hearings, a Planning Commission study session was held on April 28, 1998 to discuss the subject property as well as other sites that may be potentially zone changed. A letter was sent to all property owners and the study session was open to the general public. All staff reports were made available for public review in the City's Department of Community Development and the Huntington Beach Public Library. The issue raised at the public hearings was whether a commercial use is compatible with surrounding residential use.

MOTIONS AND RESOLUTIONS

I. DENIAL OF THE LAND USE PLAN AMENDMENT AS SUBMITTED

MOTION

"I move that the Commission certify amendment request No. 3-98 to the City of Huntington Beach Land Use Plan as submitted."

Staff recommends a **NO** vote which will result in the adoption of the following resolution and findings. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

Resolution to deny the amendment to the Land Use Plan as submitted:

The Commission hereby denies certification of amendment request No. 3-98 to the City of Huntington Beach Land Use Plan as submitted and adopts the findings stated below on the grounds that the amended Land Use Plan will not meet the requirements of and does not conform with the policies of Chapter 3 (commencing with Section 30200) of the California Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act; the Land Use Plan amendment as submitted is not consistent with applicable decisions of the Commission that guide local government actions pursuant to Section 30625(c) of the Coastal Act, and certification of the Land Use Plan amendment as submitted does not meet the requirements of Section 21080.5(d)(2)(A) of the California Environmental Quality Act, as there would be feasible alternatives or feasible mitigation measures which would substantially lessen significant adverse effects on the environment.

II. DENIAL OF THE AMENDMENT TO THE LCP IMPLEMENTING ACTIONS AS SUBMITTED

MOTION

"I move that the Commission reject amendment request No. 3-98 to the City of Huntington Beach LCP Implementing Actions as submitted."

Staff recommends a **YES** vote which would result in the adoption of the following resolution and findings. An affirmative vote of a majority of the Commissioners present to pass the motion.

Resolution to reject the amendment to the Implementing Actions as submitted

The Commission hereby rejects the amendment to the Implementing Actions of the City of Huntington Beach certified Local Coastal Program, as submitted, for the reasons discussed below on the grounds that it does not conform with, or is inadequate to carry out, the provisions of the Land Use Plan as certified. Approval of the Implementing Actions would not meet the requirements of Section 21080.5(d)(2)(A) of the California Environmental Quality Act in that there are alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effects which the approval of the amendment to the Implementing Actions would have on the environment.

III. FINDINGS FOR DENIAL OF THE LAND USE PLAN AMENDMENT

A. Land Use Plan Amendment Description

The City of Huntington Beach has requested to amend the Land Use Plan (LUP) portion of the City's certified Local Coastal Program (LCP) by changing the land use designation from Visitor Serving Commercial to High Density Residential at an approximately 0.81 acre site bounded by Pacific Coast Highway on the South, 22nd Street on the east, Goldenwest Street on the west, and the alley south of Walnut Avenue on the north (see exhibit 5). The subject site fronts on Pacific Coast Highway and is located across the street from the City Beach and bluff top park which includes bicycle and pedestrian paths. The subject site consists of 10 lots, 9 of which are 25 feet by 165 feet and one that is approximately 7 feet by 165 feet. At this time the entire site is under single ownership.

The proposed change in land use designation would allow a maximum of 30 residential units per acre at the site. The maximum number of units that could be allowed under the proposed designation if all the lots were developed together would be 24 (30 units/acre x 0.81 = 24). If each of the lots was developed individually, under the proposed land use designation, nine of the lots would be allowed 2 units (each lot is 25 feet by 165 feet = 4125 square feet = 0.094 acre; 0.09 acre x 30 units/acre = 2 units). However, the proposed zoning for the site, Downtown Specific Plan (DTSP) District 2 (Residential), limits density according to lot size. DTSP District 2 allows one dwelling unit per lot for lots with less than 50 feet of street frontage. Because each of the nine lots is 25 feet wide, each lot would be allowed only one dwelling unit. The minimum parcel size of the DTSP District 2 (2500 square feet and 25 feet of street frontage) would preclude development of the seven foot wide lot by itself.

B. Local Coastal Program Amendments 2-97 and 3-94

On August 12, 1997, the Commission approved Huntington Beach Local Coastal Program amendment 2-97 which allowed the re-designation and re-zoning of an area located adjacent to Pacific Coast Highway between 21st and 22nd Streets from Visitor Serving Commercial to High Density Residential (see exhibit 9). The site of LCP amendment 2-97 is immediately downcoast from the site of the City's current amendment request. The site of LCP amendment 2-97 was also comprised of 10 individual, small lots. Each of those lots, however, was individually owned. In approving LCP amendment 2-97 the Commission found that the small lot size and dispersed ownership, made developing the individual lots with a commercial use difficult due to the need to provide parking and the need to provide ingress/egress from Pacific Coast Highway. The Commission also found that adequate visitor serving sites, including the site of the current amendment request, would remain even with the re-designation proposed under LCP amendment 2-97.

The feasibility of developing the entire subject site with a visitor serving use has been demonstrated by the fact that the previous property owner applied for a coastal development permit from the City to develop a gas station and mini-mart at the site. However, the Planning Commission denied the request based on incompatibility with the residential land use designation which exists on two sides of the property.

On March 9, 1995, the Commission approved Huntington Beach LCP amendment 3-94 which allowed a land use and zone change from High Density Residential to Visitor Serving Commercial at a two block area along Pacific Coast Highway between 8th and 6th Streets, inland to the alley south of Walnut (see exhibit 9). The Commission's approval was based on the higher priority afforded visitor serving commercial uses over residential uses under the Coastal Act and the City's certified LUP.

C. Visitor Serving Use

Section 30213 of the Coastal Act states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30222 of the Coastal Act states:

The use of private lands suitable for visitor-service commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30250(c) states:

Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

The Coastal Act places a higher priority on visitor-serving commercial uses than on private residential uses. Visitor serving uses provide greater public benefit than private residential uses because a larger segment of the population is able to take advantage of and enjoy the use. The location of the proposed land use designation change is immediately across Pacific Coast Highway from the beach. The site is located at the intersection of two major beach access corridors: Pacific Coast Highway and Goldenwest Street. Goldenwest Street provides direct beach access from inland areas via Interstate 405. Bicycle paths exist along both Pacific Coast Highway and Goldenwest Street. In addition, a bluff top park with bicycle and pedestrian paths exists along the beach across the street from the site. A beach parking lot is located one block upcoast from the subject site. Also, the City's certified Land Use Plan identifies the site as one of three visitor serving nodes along Pacific Coast Highway between Goldenwest and 6th Streets. The nodes are intended to concentrate commercial development in the area. The specific locations for the commercial nodes were selected because they are near existing traffic signals and beach accessways.

The City has indicated that the amendment request is necessary because the existing land use designation is incompatible with the surrounding land use designations. The land use designation to the north (across the alley) is residential and is developed with residential along 22nd Street and is vacant along Goldenwest Street. The land use designation east of the property (across 22nd Street) is residential and is currently vacant. South of the property (across Pacific Coast Highway) is the beach, which is designated Open Space Recreation. The land use designation to the north of the site (across Goldenwest) is Resource Production with a Visitor Serving Commercial Overlay. The overlay zone applies once oil production ceases. The land use designation from 22nd Street to 18th Street and from 16th Street to 9th Street along Pacific Coast Highway is High Density Residential. The land use designation for all the lots between Walnut Avenue and the alley south of Walnut Avenue from Goldenwest Street to 5th Street is High Density Residential. The other two visitor serving nodes are located in the area along Pacific Coast Highway between 18th and 16th Streets and from 9th Street to the downtown. See exhibit 10 for a map of the site and surrounding area land use designations.

Although the City has indicated that the existing land use designation is incompatible with the surrounding land use designation, the subject site has been land use designated visitor serving commercial in the certified Land Use Plan since it was certified 1984. In addition, the site has been zoned commercial by the City since November of 1947. Additionally, the other two visitor serving nodes along Pacific

Coast Highway, although surrounded (except across Pacific Coast Highway) by high density residential development, are successfully developed with visitor serving uses.

The City has also indicated that the proposed loss of the visitor serving designation at the site is off set by the City's re-designation under a recent General Plan amendment of the area immediately west of the subject site. The 142 acre area west of the subject site (across Goldenwest) was re-designated from Oil Production to Mixed-Use Horizontal Integration of Housing. This designation would allow visitor serving uses under the City's General Plan. However this change has not yet been submitted to the Coastal Commission for review. The City is in the process of updating the Coastal Element of the General Plan. The Coastal Element of the General Plan is the certified Land Use Plan portion of the LCP. The City anticipates that the revised Coastal Element, including the re-designation of the area to the west of the subject site, will be submitted for Coastal Commission review in mid 1999. Because the Coastal Commission has not approved it, the re-designation cannot be considered as a basis to allow a loss of visitor serving use at this time. In addition, the City's revised land use designation at the site, Mixed-Use Horizontal Integration of Housing, is not a designation that currently exists in the certified Land Use Plan. Consequently, it cannot be assessed whether such a change in the future could adequately off-set the proposed loss of visitor serving commercial designation at the subject site. It should also be noted that, as currently certified, the LUP already designates portions of the 142 acre area as visitor serving commercial once oil production ceases (see exhibit 11).

For the reasons identified above, including the site's proximity to the beach, bicycle and pedestrian paths, beach parking lot, and its location at the intersection of two major beach access corridors, the specific location of the subject site is an appropriate location for visitor serving commercial use. In addition, this site is not subject to the same constraints of the site of LCP amendment 2-97 in that there is a single owner, which would enable the lots to be developed together. The likelihood that the site can be developed with a visitor serving use is demonstrated by the previous property owner's application to the City to develop the site as a gas station and mini-mart.

The Commission finds that the amendment request is inconsistent with the Coastal Act policies which require that visitor serving uses be protected and the use of lands suitable for visitor serving commercial facilities shall have priority over private residential development. Therefore, the Commission denies the City's Land Use Plan amendment request 3-98 because it is inconsistent with the Chapter 3 policies of the Coastal Act.

IV. FINDINGS FOR DENIAL OF THE IMPLEMENTATION PLAN AMENDMENT

The findings for approval of the Land Use Plan amendment are hereby incorporated by reference.

A. Implementation Plan Amendment Description

The City of Huntington Beach has requested to amend the Implementation Plan (IP) portion of the City's certified Local Coastal Program (LCP) by changing the zoning from Downtown Specific Plan District 1 (Visitor Serving Commercial) to Downtown Specific Plan 2 (Residential) at an approximately 0.81 acre site located at the one block area along Pacific Coast Highway between 22nd Street and Goldenwest Street inland to the alley south of Walnut.

As described in the findings for denial of the Land Use Plan amendment, if the lots were developed together, the subject site would be allowed a maximum of 24 units. If developed individually, nine of the lots would be allowed one unit per lot.

B. Visitor Serving Uses

The following Coastal Act Sections have been specifically incorporated into the City's certified Land Use Plan.

Section 30213 of the Coastal Act states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided. Developments providing recreational opportunities are preferred.

Section 30222 of the Coastal Act states:

The use of private lands suitable for visitor-service commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30250(c) states:

Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Regarding Visitor Serving facilities, the City's certified Land Use Plan policies 5 and 5a on page 138 state:

Additional support facilities are necessary in order to accommodate the large numbers of visitors attracted to recreation areas in the coastal zone. The coastal land use plan is designed to provide for sufficient areas strategically located to

serve the needs of existing and future levels of visitors. The intent of the following policies is to specifically encourage adequate visitor accommodations.

5. Protect, encourage, and where feasible provide visitor serving facilities in the coastal zone which are varied in type and price.

5a. Encourage the provision of additional restaurants and hotel/motel accommodations in keeping with the alternative chosen by the City Council.

The certified LUP also states, on page 31:

Existing visitor-serving uses in the coastal zone provide a wide range of services. However, the large numbers of visitors attracted to recreation areas in the coastal zone justify the provision of additional support facilities, particularly overnight accommodations and restaurants. The plan designates sufficient areas strategically located to serve the needs of existing and future levels of visitors. The City's coastal policies further aim to achieve the following objectives:

- Provision of lower cost visitor-serving facilities.
- Increased numbers of hotel/motel rooms and restaurants in the coastal zone.
- Provision of additional areas for overnight recreational vehicle camping.

The certified Land Use Plan places a higher priority on visitor serving uses than on residential uses. The proposed IP amendment would result in a loss of the higher priority visitor serving zone in order to accommodate the lower priority residential zone. The proposed change is inconsistent with the LUP policies cited above.

As described in the findings for denial of the LUP amendment, the subject site is an appropriate location for visitor serving commercial use. It is located across Pacific Coast Highway from the beach. There are bicycle and pedestrian paths along the beach in this area as well as along Pacific Coast Highway and Goldenwest Street. And the site is located at the signalized intersection of Pacific Coast Highway and Goldenwest Street, which are both major beach access corridors.

There are other visitor serving areas in the Huntington Beach coastal zone near the pier and downcoast of the pier. However, the LUP states its intent to provide sufficient strategically located areas to serve the needs of visitors. The LUP recognizes that some visitor serving uses should be provided in the area between Goldenwest and 6th Streets. The LUP identifies three specific locations for the visitor serving nodes to provide visitor serving distribution and to concentrate visitor serving uses in the area. The placement of the nodes was based on their location at

signalized intersections and beach access points. The LUP specifically identifies the subject site as one of the three nodes which are appropriate for visitor serving use.

The City has indicated that the proposed zone change is appropriate because the current zone is incompatible with the residential zoning in this area and because the loss of visitor serving zoning at the site is offset by the City's re-zoning of the area west of the subject site (across Goldenwest) to a zone that would allow visitor serving commercial use.

However, as described in the findings for denial of the Land Use Plan amendment, the juxtaposition of the visitor serving commercial zone with the residential zoning has existed since the LCP was certified. In addition, residentially zoned areas abut visitor serving commercially zoned areas at the other nodes identified in the LUP and are nevertheless successfully developed. Further, the zone change the City cites as a basis for allowing the loss of visitor serving at the subject site has not yet been submitted to the Commission for review. Moreover, the area cited by the City already is identified in the LUP for visitor serving use.

For these reasons, the Commission finds that the proposed IP amendment is inconsistent with and inadequate to carry out the visitor serving policies of the City's certified Land Use Plan. Therefore, the Commission denies IP amendment 3-98.

V. California Environmental Quality Act

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local governments from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program (LCP). Instead, the CEQA responsibilities are assigned to the Coastal Commission. However, the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under Section 21080.5 of CEQA, the Commission is relieved of the responsibility to prepare an EIR for each LCP. Nevertheless, the Commission is required in an LCP submittal to find that the LCP does conform with the provisions of CEQA. The City of Huntington Beach LCP amendment 3-98 consists of a Land Use Plan (LUP) amendment and an Implementation Plan (IP) amendment.

As outlined in this staff report, the LUP amendment is not in conformity with the visitor serving policies of Chapter 3 of the Coastal Act. The IP amendment is not in conformity with nor adequate to carry out the visitor serving policies of the certified LUP. Therefore, the Commission finds that approval of the LCP amendment will result in significant adverse environmental impacts under the meaning of CEQA. A feasible alternative exists in that the site can retain the visitor serving commercial land use designation and zoning. Therefore, the Commission finds that there are feasible alternatives under the meaning of CEQA which would reduce the potential for

significant adverse environmental impacts. Therefore, the Commission denies LCP amendment request 3-98.

HNB LCP Am 3-98 stfrpt mv

RESOLUTION NO. 98-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
ADOPTING LOCAL COASTAL PROGRAM AMENDMENT 98-1 (CONSISTING OF
ZONING TEXT AMENDMENT NO. 98-2 AND ZONING MAP AMENDMENT NO. 98-2)
AND REQUESTING ITS CERTIFICATION BY THE CALIFORNIA COASTAL
COMMISSION

WHEREAS, after notice duly given pursuant to *Government Code* Section 65090 and
Public Resources Code Sections 30503 and 30510, the Planning Commission of the City of
Huntington Beach held public hearings to consider the adoption of the Huntington Beach Local
Coastal Program Amendment No. 98-1 ("LCPA 98-1"), which is a request to amend the
Downtown Specific Plan; and

LCPA 98-1 was recommended to the City Council for adoption; and

The City Council, after giving notice as prescribed by law, held at least one public
hearing on LCPA 98-1, and the City Council finds that it is consistent with the Certified
Huntington Beach Coastal Land Use Plan and Chapter 6 of the California Coastal Act; and

The City Council of the City of Huntington Beach intends to implement the Local Coastal
Program in a manner fully consistent with the California Coastal Act,

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby
resolve as follows:

1. That LCPA 98-1, consisting of Zoning Text Amendment No. 98-2, and Zoning
Map Amendment No. 98-2, a copy of which is attached hereto as Exhibit "A," and incorporated
by this reference as though fully set forth herein, is hereby approved.

2. That the California Coastal Commission is hereby requested to consider, approve
and certify LCPA 98-1.

City Council Resolution
Submitting LCP Am Request

EXHIBIT No. 1

**Huntington Beach
LCP AM 3-98**

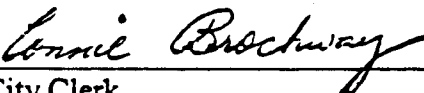
3. That pursuant to Section 13551(b) of the Coastal Commission Regulations, LCPA 98-1 will take effect automatically upon Coastal Commission approval, as provided in *Public Resources Code* Sections 30512, 30513, and 30519.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 16th day of November, 1998.



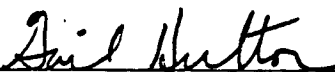
Mayor

ATTEST:



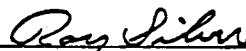
City Clerk

APPROVED AS TO FORM:



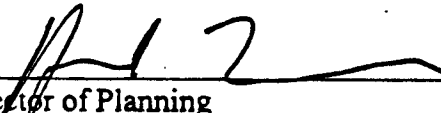
City Attorney
Set on 10/27/98

REVIEWED AND APPROVED:



City Administrator

INITIATED AND APPROVED:



Director of Planning

Exhibit A: Ordinance No. 3407 (ZTA 98-2, ZMA 98-2)

la

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, CONNIE BROCKWAY, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a regular meeting thereof held on the 16th day of November, 1998 by the following vote:

AYES: Julien, Harman, Green, Dettloff, Bauer, Sullivan, Garofalo
NOES: None
ABSENT: None

Connie Brockway

City Clerk and ex-officio Clerk of the
City Council of the City of Huntington
Beach, California

RESOLUTION NO. 98-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH
ADOPTING LOCAL COASTAL PROGRAM AMENDMENT 98-1 (CONSISTING OF
ZONING TEXT AMENDMENT NO. 98-2 AND ZONING MAP AMENDMENT NO. 98-2)
AND REQUESTING ITS CERTIFICATION BY THE CALIFORNIA COASTAL
COMMISSION

WHEREAS, after notice duly given pursuant to *Government Code* Section 65090 and
Public Resources Code Sections 30503 and 30510, the Planning Commission of the City of
Huntington Beach held public hearings to consider the adoption of the Huntington Beach Local
Coastal Program Amendment No. 98-1 ("LCPA 98-1"), which is a request to amend the
Downtown Specific Plan; and

LCPA 98-1 was recommended to the City Council for adoption; and

The City Council, after giving notice as prescribed by law, held at least one public
hearing on LCPA 98-1, and the City Council finds that it is consistent with the Certified
Huntington Beach Coastal Land Use Plan and Chapter 6 of the California Coastal Act; and

The City Council of the City of Huntington Beach intends to implement the Local Coastal
Program in a manner fully consistent with the California Coastal Act,

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby
resolve as follows:

1. That LCPA 98-1, consisting of Zoning Text Amendment No. 98-2, and Zoning
Map Amendment No. 98-2, a copy of which is attached hereto as Exhibit "A," and incorporated
by this reference as though fully set forth herein, is hereby approved.
2. That the California Coastal Commission is hereby requested to consider, approve
and certify LCPA 98-1.

lc

3. That pursuant to Section 13551(b) of the Coastal Commission Regulations, LCPA 98-1 will take effect automatically upon Coastal Commission approval, as provided in *Public Resources Code* Sections 30512, 30513, and 30519.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 16th day of November, 1998.

Shelby R. Dutton
Mayor

ATTEST:

Lonnie Brochway
City Clerk

APPROVED AS TO FORM:

David Hunter
City Attorney
File # 27-28
File 10/27/98

REVIEWED AND APPROVED:

Roy Silber
City Administrator

INITIATED AND APPROVED:

[Signature]
Director of Planning

Exhibit A: Ordinance No. 3407 (ZTA 98-2, ZMA 98-2)

ld

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, CONNIE BROCKWAY, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a regular meeting thereof held on the 16th day of November, 1998 by the following vote:

AYES: Julien, Harman, Green, Dettloff, Bauer, Sullivan, Garofalo
NOES: None
ABSENT: None

Connie Brockway

City Clerk and ex-officio Clerk of the
City Council of the City of Huntington
Beach, California

RESOLUTION NO. 98-86

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF HUNTINGTON BEACH
APPROVING GENERAL PLAN AMENDMENT NO. 98-2
AND NEGATIVE DECLARATION NO. 98-1

WHEREAS, General Plan Amendment No. 98-2 is a request to amend the Land Use Element and the Coastal Element of the City's General Plan to incorporate a redesignation of approximately 0.81 net acres of real property (hereinafter referred to as the "Subject Property") generally located north of Pacific Coast Highway, south of Walnut Avenue, east of Goldenwest Street, and west of 22nd Street in the City of Huntington Beach, from Commercial - Visitor Serving to High Density Residential - more than 25 units per gross acre; and

Pursuant to the *California Government Code*, the Planning Commission of the City of Huntington Beach, after notice duly given, held a public hearing to consider General Plan Amendment No. 98-2 and Negative Declaration No. 98-1 and recommended approval of said entitlements to the City Council; and

Pursuant to the *California Government Code*, the City Council of the City of Huntington Beach, after notice duly given, held a public hearing to consider General Plan Amendment No. 98-2 and Negative Declaration No. 98-1; and

The City Council finds that said General Plan Amendment No. 98-2 is necessary for the changing needs and orderly development of the community, and is necessary to accomplish refinement of the General Plan and is consistent with the other elements of the General Plan; and

The City Council finds that Negative Declaration No. 98-1 addresses the environmental issues pursuant to the *California Environmental Quality Act*,

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

1. That the Subject Property is generally located north of Pacific Coast Highway, south of Walnut Avenue, east of Goldenwest Street, and west of 22nd Street in the City of Huntington Beach, and is more particularly described in the legal descriptions and sketches attached hereto as Exhibits "A" and "B," respectively, which exhibits are incorporated by this reference as though fully set forth herein.

EXHIBIT No. 2

2. That the General Plan designation of the Subject Property is hereby changed from Commercial - Visitor Serving to High Density Residential - more than 25 units per gross acre as depicted on the Exhibits attached hereto.

3. That the General Plan Land Use Map in the Land Use Element of the General Plan, a copy of which is attached hereto as Exhibit "C," and incorporated by this reference as though fully set forth herein, is hereby amended to implement General Plan amendment No. 98-2.

4. That the City Council of the City of Huntington Beach hereby approves and adopts General Plan Amendment No. 98-2 and Negative Declaration No. 98-1.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting held on the 16th day of November, 1998.

Shelby Dutton
Mayor

ATTEST:

Connie Brochu
City Clerk

APPROVED AS TO FORM:

Gail Hutton
City Attorney
127-9866 file 10/21/98

REVIEWED AND APPROVED:

Ray Sales
City Administrator

INITIATED AND APPROVED:

Howard Zepher
Director of Planning

Exhibits:

- A: Legal Descriptions of the Subject Property
- B: Sketches of the Subject Property
- C: General Plan Land Use Map

2a

PARCELS ON PACIFIC COAST HIGHWAY
BETWEEN 22ND AND GOLDEN WEST STREETS

BEING ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10 OF BLOCK 122 OF HUNTINGTON BEACH, SEVENTEENTH STREET SECTION, IN THE CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 4, PAGE 10, MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY.

EXCEPTING THEREFROM, THOSE PORTIONS PREVIOUSLY DEDICATED FOR HIGHWAY PURPOSES.

2d

EXHIBIT B TO GPA RESOLUTION

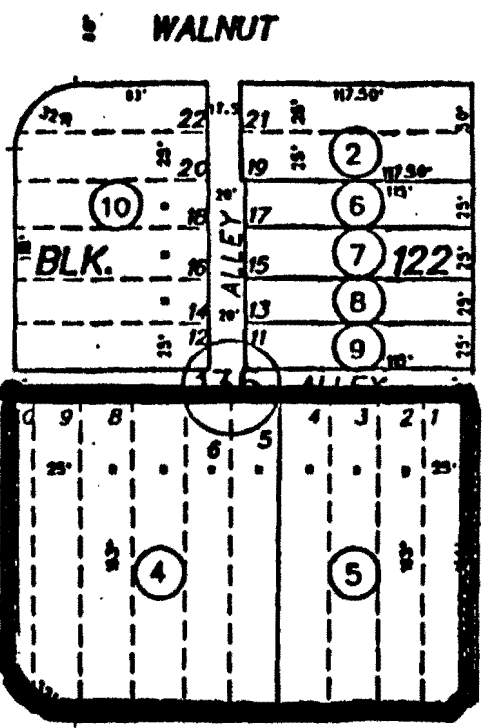
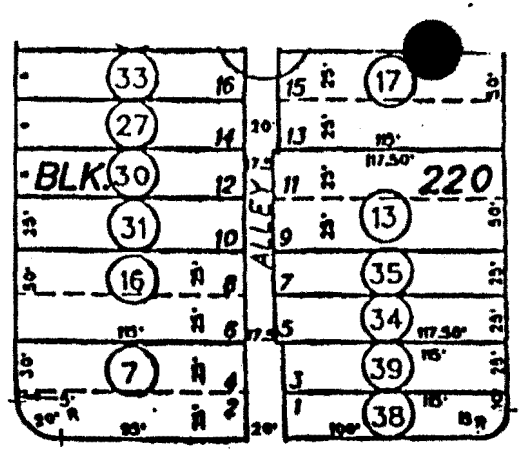
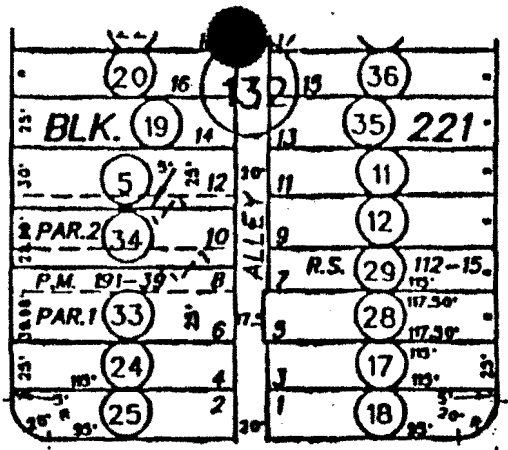
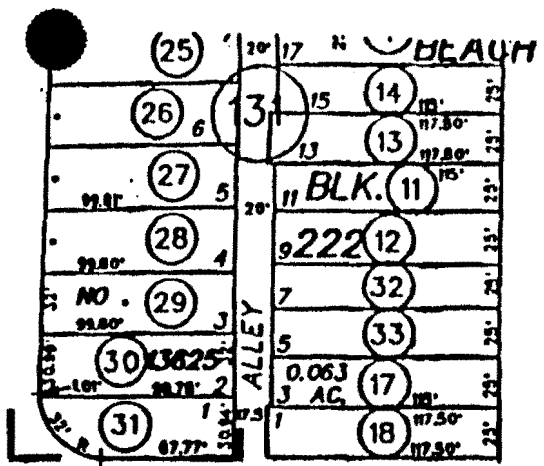
S

(23RD ST.)

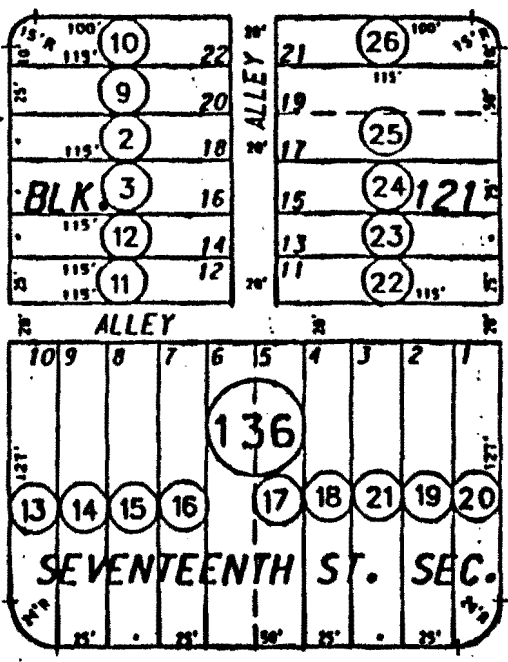
GOLDENWEST

MARCH 1948

22

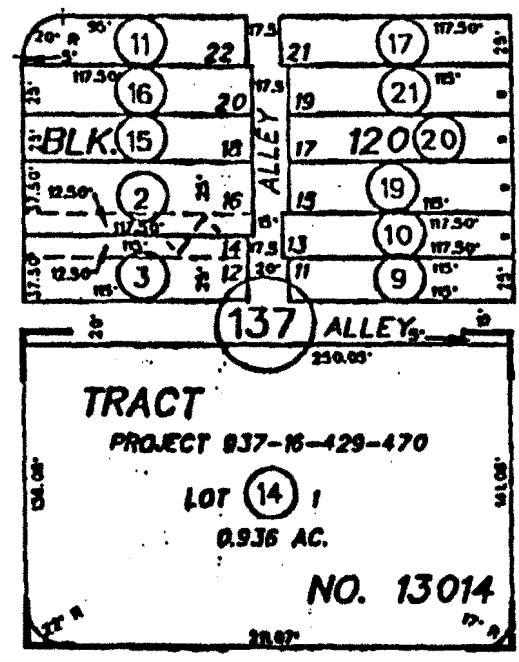


22ND



(OCEAN AVE.)

21ST



HUNTINGTON BEACH, SEVENTEENTH ST. SEC. M.M. 4-10
 TRACT NO. 13014
 TRACT NO. 12947
 TRACT NO. 13625
 PARCEL MAP

17

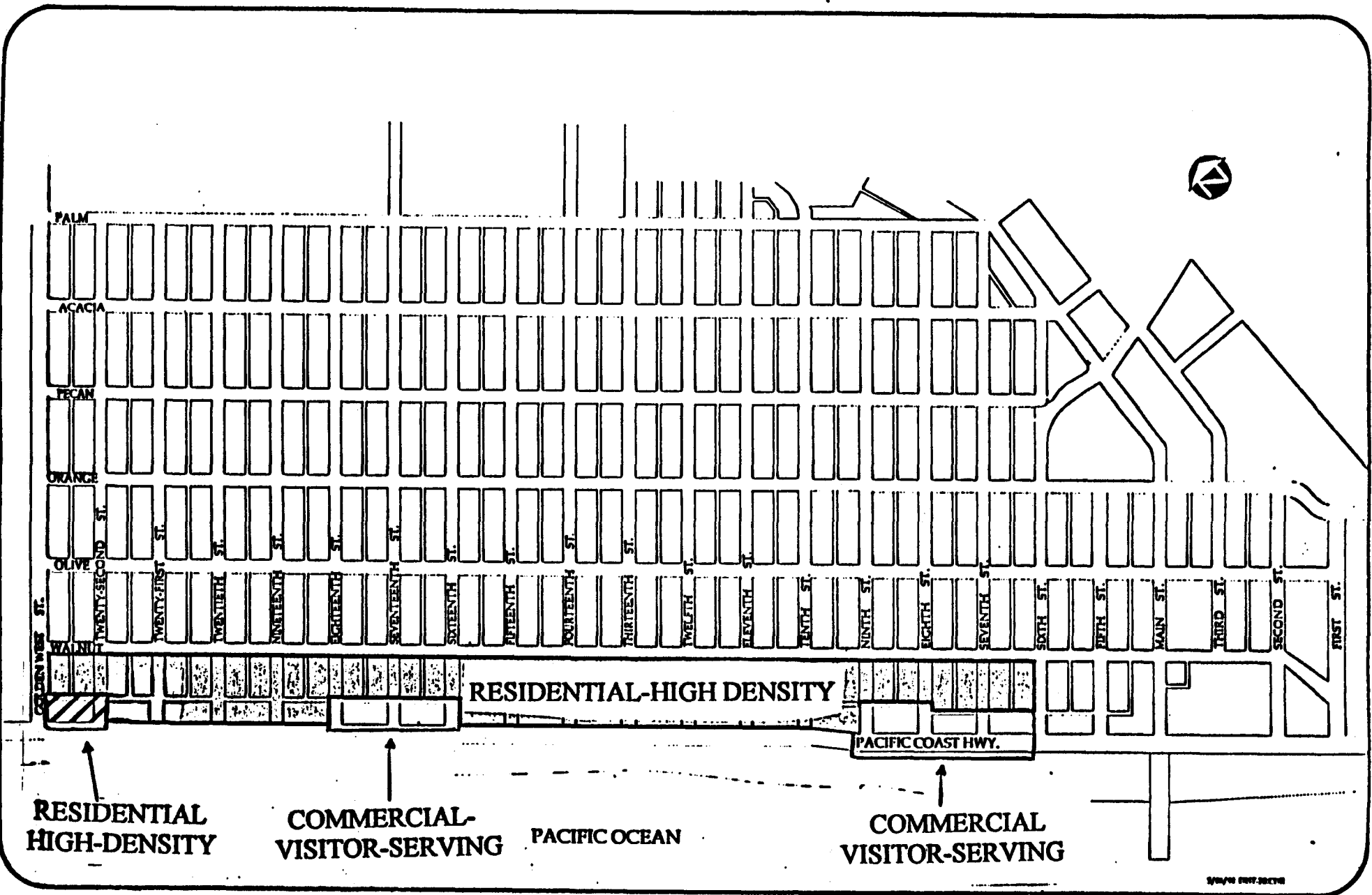
NOTE - ASSESSOR'S BLOCK &
 PARCEL NUMBERS
 SHOWN IN CIRCLES

Resolution No. 98-86 Exhibit B

H102

EXHIBIT C TO GPA RESOLUTION

2f



Resolution No. 98-86 Exhibit C

PROPOSED




HUNTINGTON BEACH CALIFORNIA
PLANNING DEPARTMENT

GENERAL PLAN

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, CONNIE BROCKWAY, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing resolution was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council at a regular meeting thereof held on the 16th day of November, 1998 by the following vote:

AYES: Julien, Harman, Green, Dettloff, Bauer, Sullivan, Garofalo
NOES: None
ABSENT: None



City Clerk and ex-officio Clerk of the
City Council of the City of Huntington
Beach, California

ORDINANCE NO. 3407

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING THE DOWNTOWN SPECIFIC PLAN TO REDESIGNATE CERTAIN REAL PROPERTY FROM DOWNTOWN SPECIFIC PLAN DISTRICT 1 (VISITOR SERVING COMMERCIAL) TO DOWNTOWN SPECIFIC PLAN DISTRICT 2 (RESIDENTIAL) (ZONING TEXT AMENDMENT NO. 98-2, AND ZONING MAP AMENDMENT NO. 98-2)

WHEREAS, pursuant to the California State Planning and Zoning Law, the Huntington Beach Planning Commission and Huntington Beach City Council have held separate, duly noticed public hearings to consider Zoning Text Amendment No. 98-2 and Zoning Map Amendment No. 98-2, which redesignates certain real property generally located north of Pacific Coast Highway, south of Walnut Avenue, west of 22nd Street and east of Goldenwest Street (hereinafter referred to as the "Subject Property") in the City of Huntington Beach from Downtown Specific Plan District 1 (Visitor Serving Commercial) to Downtown Specific Plan District 2 (Residential); and

After due consideration of the findings and recommendations of the Planning Commission and all other evidence presented, the City Council finds that the aforesaid amendment is proper and consistent with the General Plan,

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. That the Subject Property is generally located north of Pacific Coast Highway, south of Walnut Avenue, west of 22nd Street and east of Goldenwest Street, and is more particularly described in the legal descriptions and sketches attached hereto as Exhibits "A" and "B," respectively, which Exhibits are incorporated by this reference as though fully set forth herein.

EXHIBIT No. 3

Zone Change Ordinance

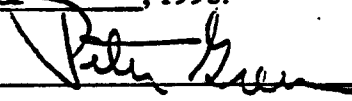
**Huntington
Beach LCP AM
3-98**

SECTION 2. That the zoning designation of the Subject Property is hereby changed from Downtown Specific Plan District 1 (Visitor Serving Commercial) to Downtown Specific Plan District 2 (Residential).

SECTION 3. That the Downtown Specific Plan, and the Downtown Specific Plan District 1 Map and District 2 Map, are hereby amended to reflect Zoning Text Amendment No. 98-2 and Zoning Map Amendment No. 98-2 as described herein. The Director of Planning is hereby directed to prepare and file amended maps. Copies of said District Maps, as amended, shall be available for inspection in the Office of the City Clerk.


SECTION 4. This ordinance shall take effect thirty days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the 7th day of December, 1998.




Mayor

ATTEST:



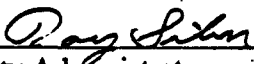
City Clerk

APPROVED AS TO FORM:



City Attorney
10-27-98 P-2
10/27/98

REVIEWED AND APPROVED:



City Administrator

INITIATED AND APPROVED:



Director of Planning

- ATTACHMENTS:** Exhibit A: Legal Description
Exhibit B: Sketch
Exhibit C: Downtown Specific Plan

3a

3b

EXHIBIT A TO ORDINANCE

PARCELS ON PACIFIC COAST HIGHWAY
BETWEEN 22ND AND GOLDEN WEST STREETS

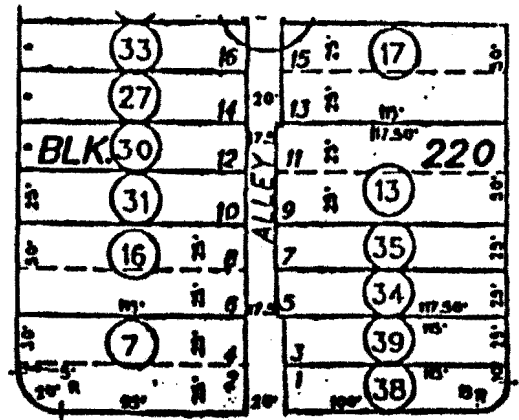
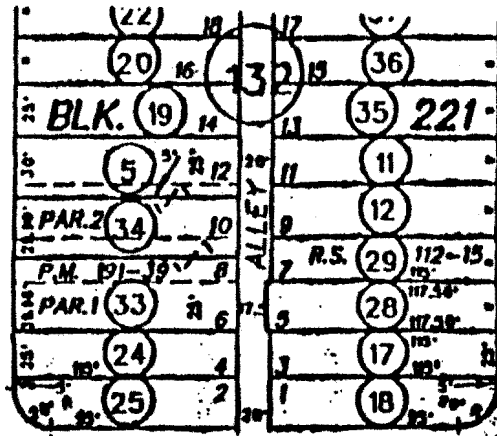
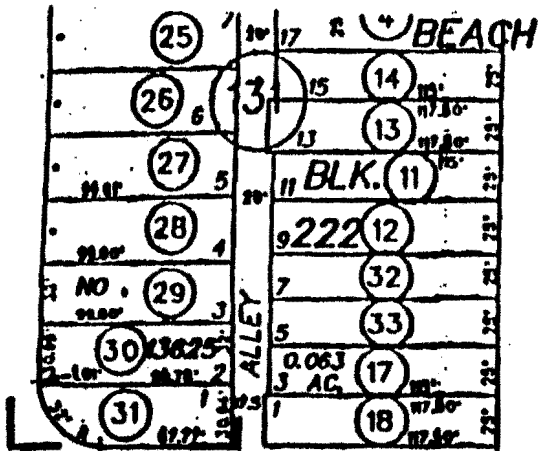
BEING ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10 OF BLOCK 122 OF HUNTINGTON BEACH, SEVENTEENTH STREET SECTION, IN THE CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 4, PAGE 10, MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY.

EXCEPTING THEREFROM, THOSE PORTIONS PREVIOUSLY DEDICATED FOR HIGHWAY PURPOSES.

EXHIBIT B TO ORDINANCE

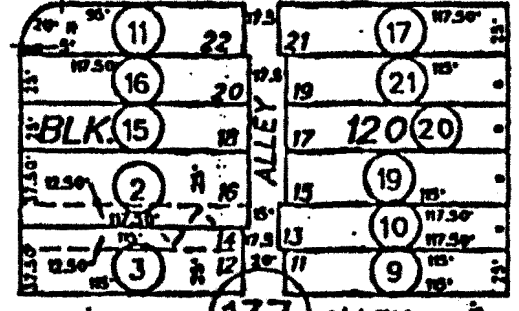
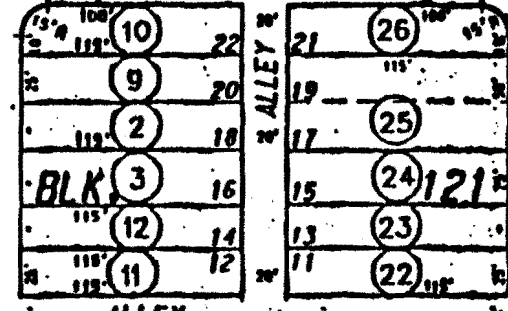
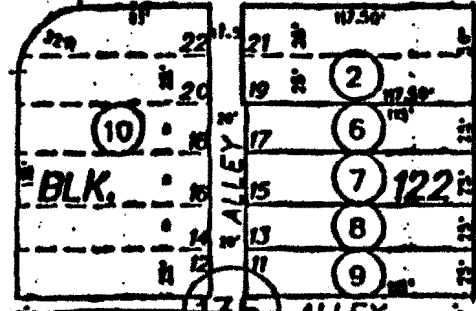
3d

5

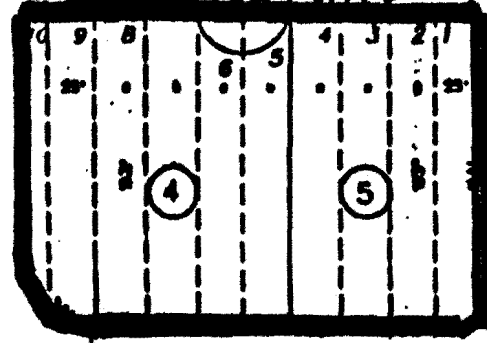


(23RD ST.)

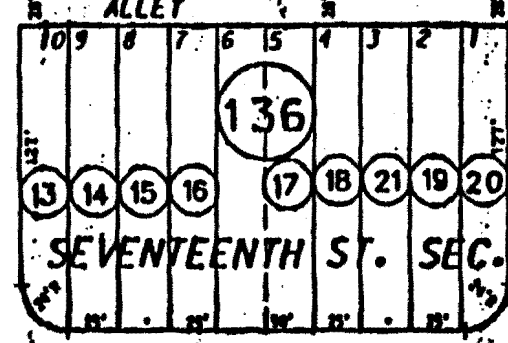
WALNUT



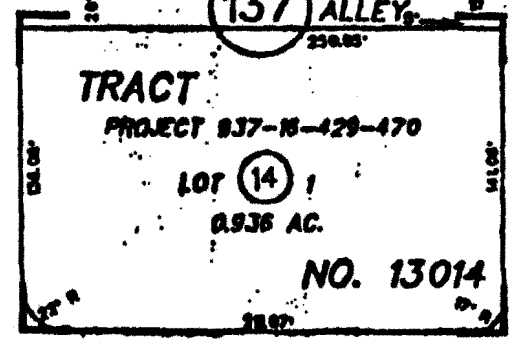
GOLDENWEST



22ND



21ST



20TH

COAST

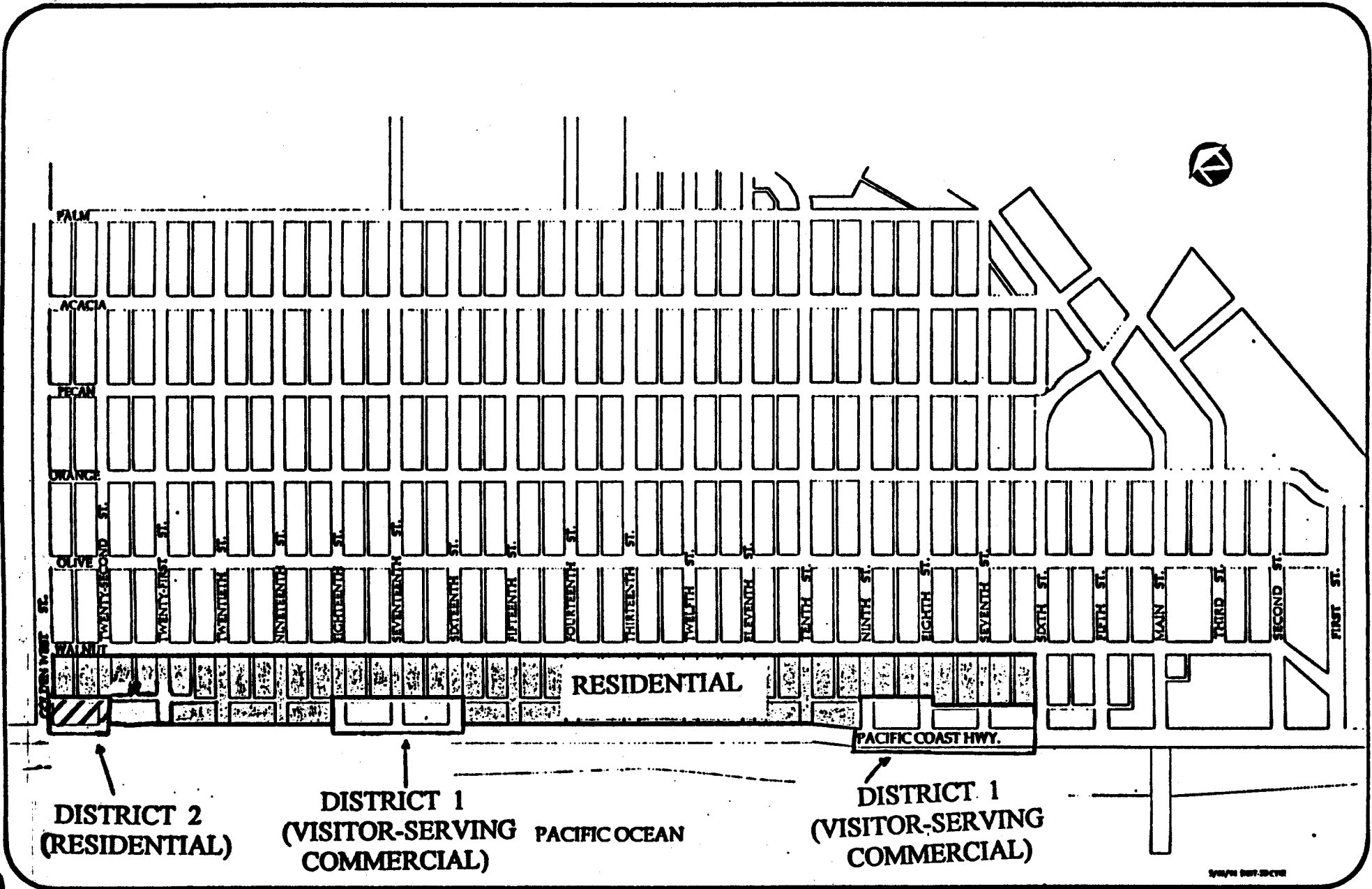
(OCEAN AVE.)

MARCH 1948

HUNTINGTON BEACH, SEVENTEENTH ST. SEC. M.M. 4-10
 TRACT NO. 13014
 TRACT NO. 12947
 TRACT NO. 13625
 M.M. 585-48,49,50
 M.M. 586-49,50
 M.M. 687-48,49,50
 P.M. 191-39

17

NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES



39

PROPOSED ZONING



HUNTINGTON BEACH CALIFORNIA
PLANNING DEPARTMENT

DOWNTOWN SPECIFIC PLAN

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss:
CITY OF HUNTINGTON BEACH)

I, CONNIE BROCKWAY, the duly elected, qualified City Clerk of the City of Huntington Beach, and ex-officio Clerk of the City Council of said City, do hereby certify that the whole number of members of the City Council of the City of Huntington Beach is seven; that the foregoing ordinance was read to said City Council at a regular meeting thereof held on the 16th day of November, 1998, and was again read to said City Council at a regular meeting thereof held on the 7th day of December, 1998, and was passed and adopted by the affirmative vote of at least a majority of all the members of said City Council.

AYES: Julien, Bauer, Garofalo, Green, Dettloff, Harman, Sullivan

NOES: None

ABSENT: None

ABSTAIN: None

The foregoing instrument is a correct copy of the original on file in this office.

Attest December 2, 1998

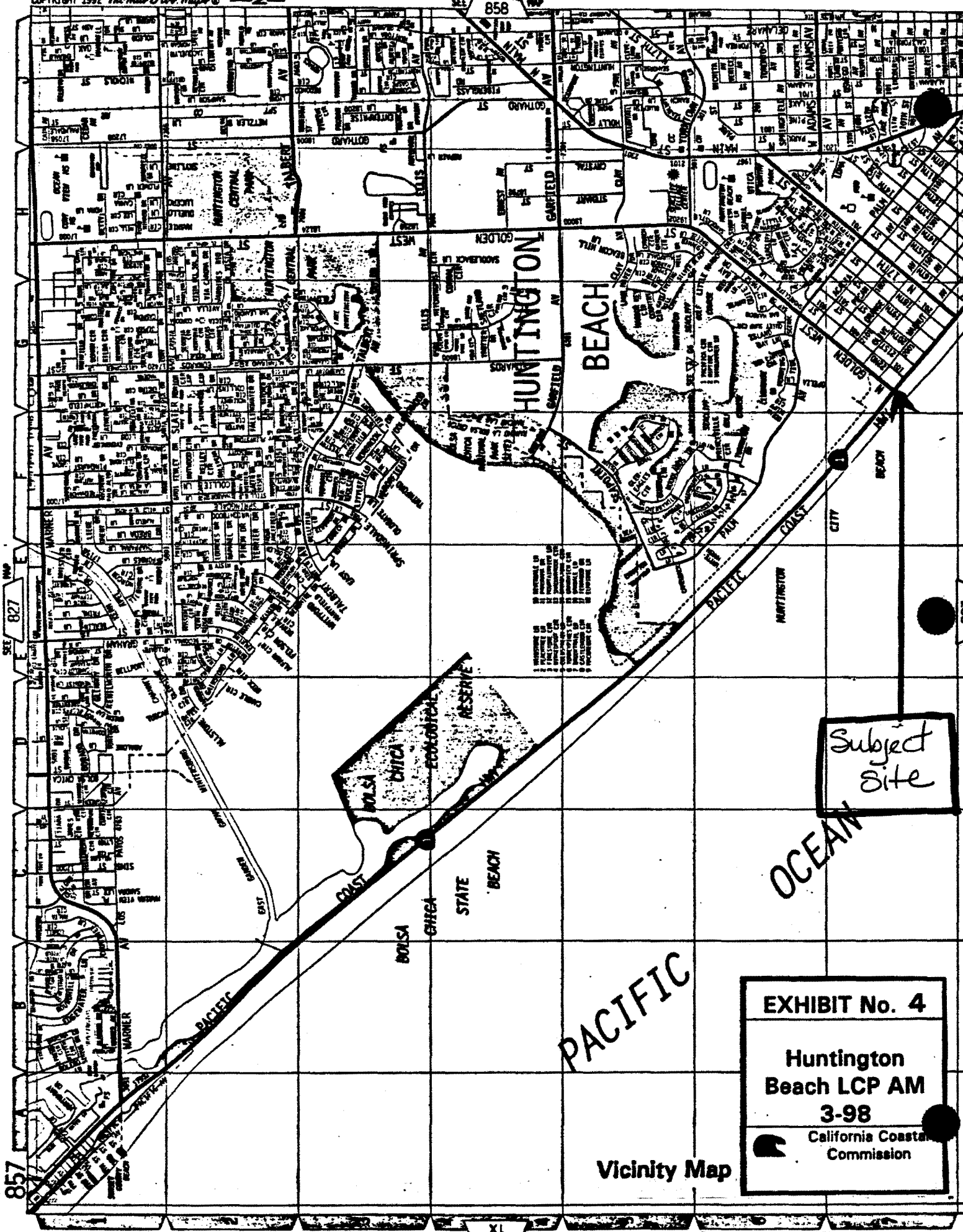
CONNIE BROCKWAY
City Clerk and Ex-officio Clerk of the City Council of the City of Huntington Beach, California,

By A. Christine Nease Deputy

I, Connie Brockway CITY CLERK of the City of Huntington Beach and ex-officio Clerk of the City Council, do hereby certify that a synopsis of this ordinance has been published in the Independent on _____, 19____
In accordance with the City Charter of said City
Connie Brockway City Clerk

Deputy City Clerk

Connie Brockway
City Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach, California



Subject Site

EXHIBIT No. 4
Huntington Beach LCP AM 3-98
 California Coastal Commission

Vicinity Map

SEE 827 MAP

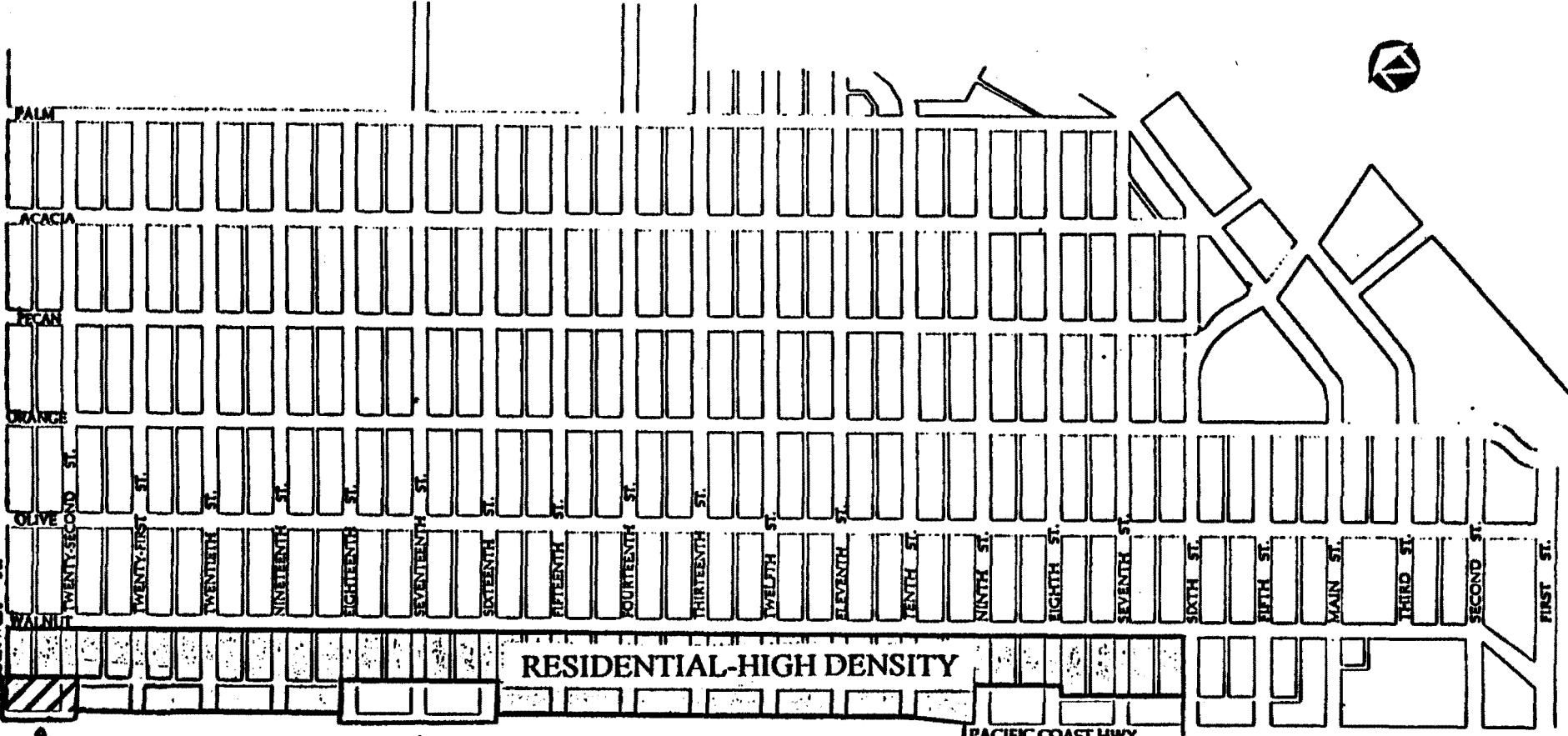
SEE 887 MAP

857

GRAND ST

SEE 858 MAP

OCTAVE



Subject Site
 COMMERCIAL-VISITOR-SERVING

COMMERCIAL-VISITOR-SERVING
 PACIFIC OCEAN

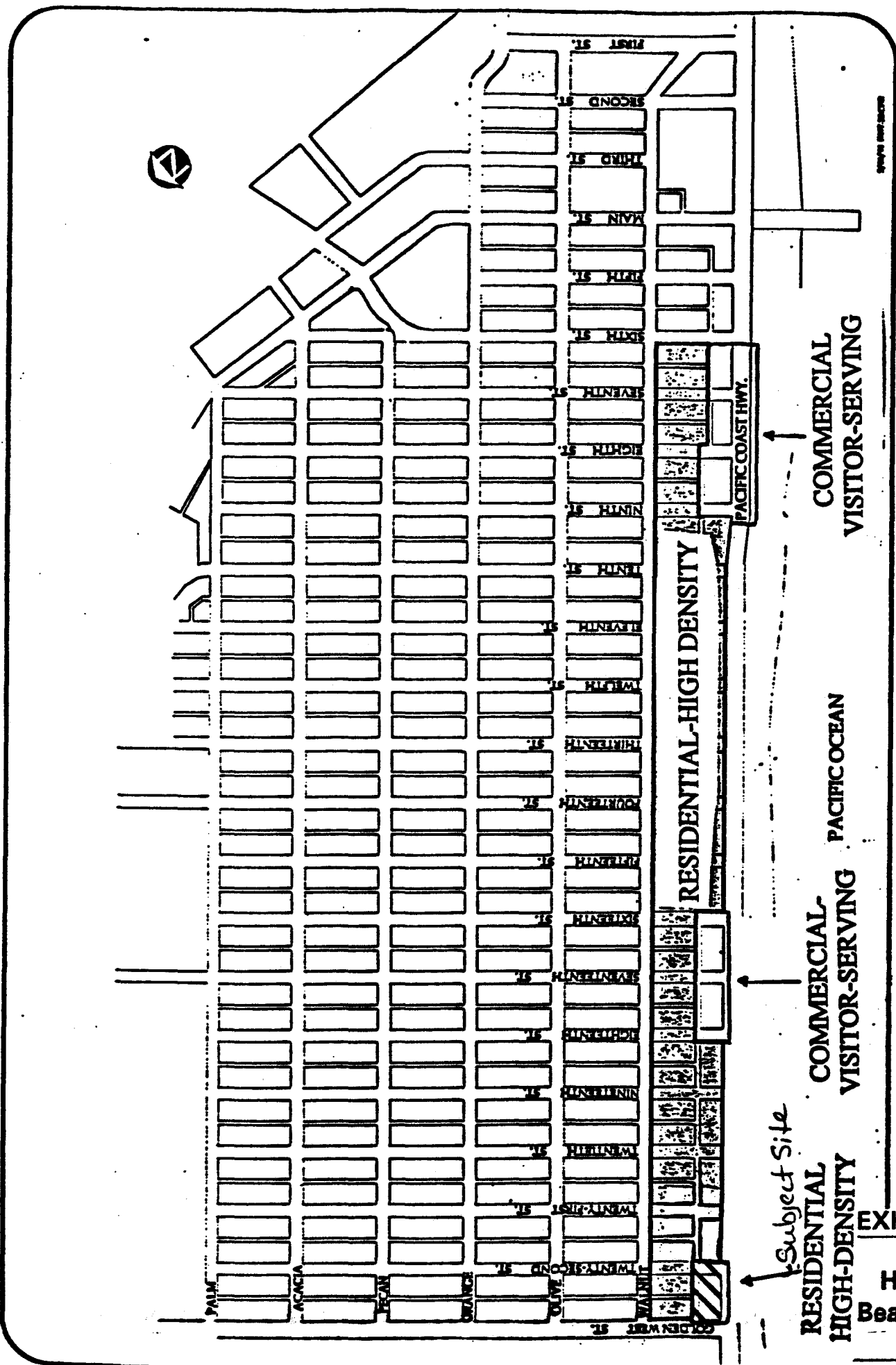
COMMERCIAL-VISITOR-SERVING

Huntington Beach
 LCP AM 3-98

EXHIBIT NO. 3

HUNTINGTON BEACH CALIFORNIA
 PLANNING DEPARTMENT

EXISTING
 Land Use Designation



PROPOSED
Land Use Designation

COMMERCIAL-VISITOR-SERVING

PACIFIC OCEAN

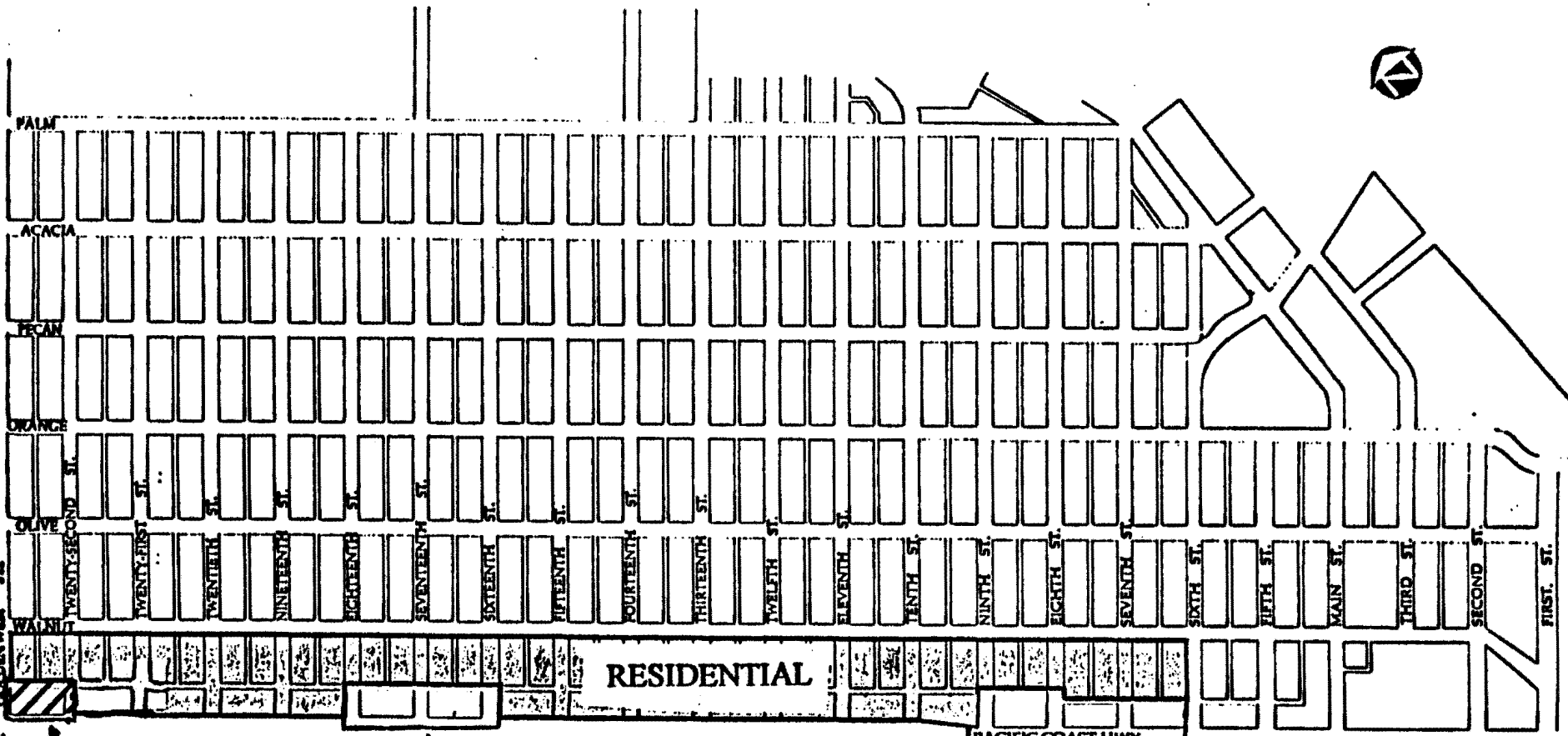
RESIDENTIAL-HIGH DENSITY

Subject Site

EXHIBIT No. 6

Huntington Beach LCP AI
3-98

HUNTINGTON BEACH CALIFORNIA
PLANNING DEPARTMENT



Subject Site
 DISTRICT 1
 (VISITOR-SERVING
 COMMERCIAL)

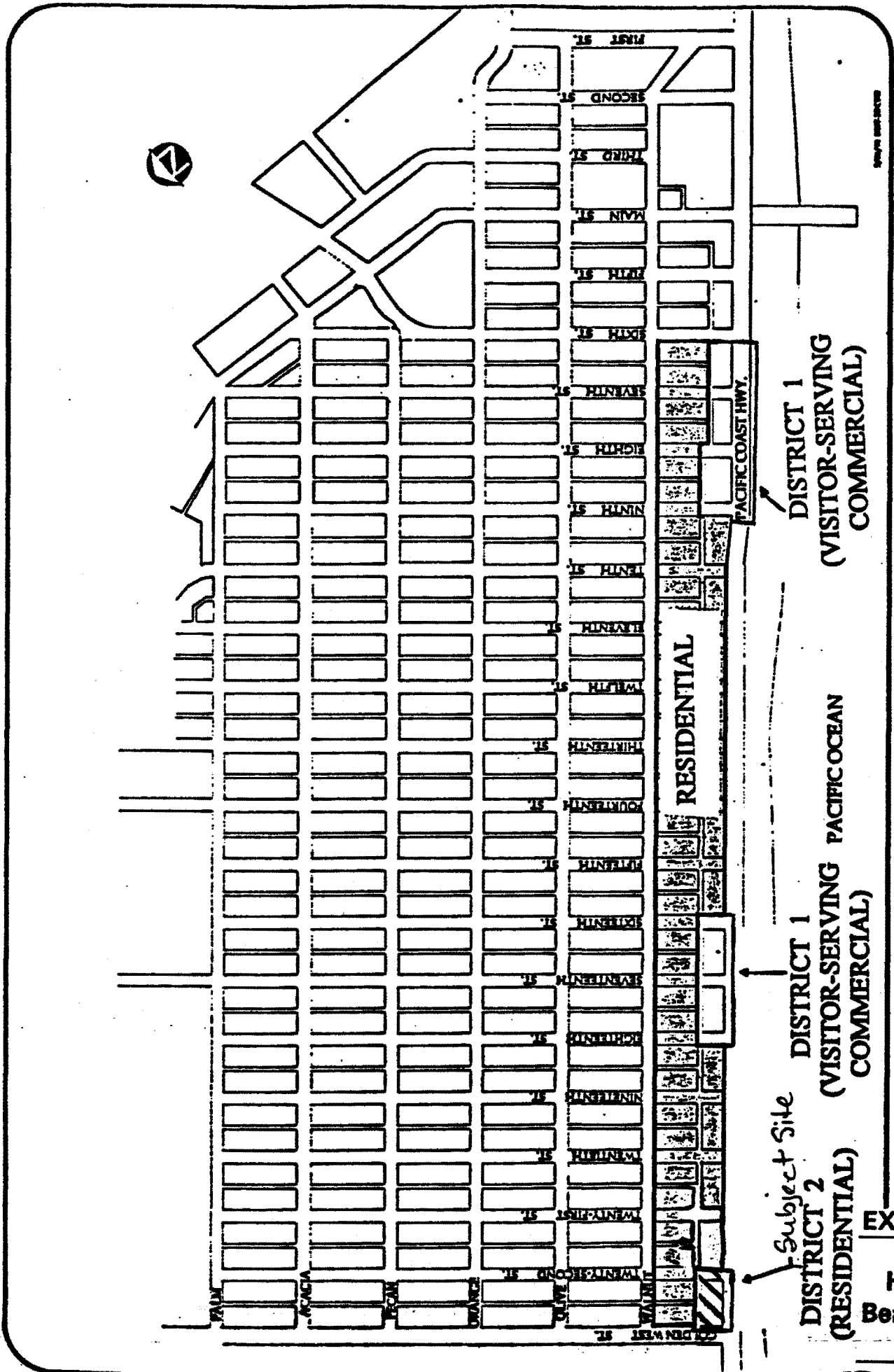
DISTRICT 1
 (VISITOR-SERVING
 COMMERCIAL) PACIFIC OCEAN

DISTRICT 1
 (VISITOR-SERVING
 COMMERCIAL)

EXISTING ZONING

DOWNTOWN SPECIFIC PLAN

EXHIBIT No. 1
 HUNTINGTON BEACH CALIFORNIA
 ZONING DEPARTMENT



DOWNTOWN SPECIFIC PLAN

PROPOSED ZONING

**DISTRICT 1
(VISITOR-SERVING
COMMERCIAL)**

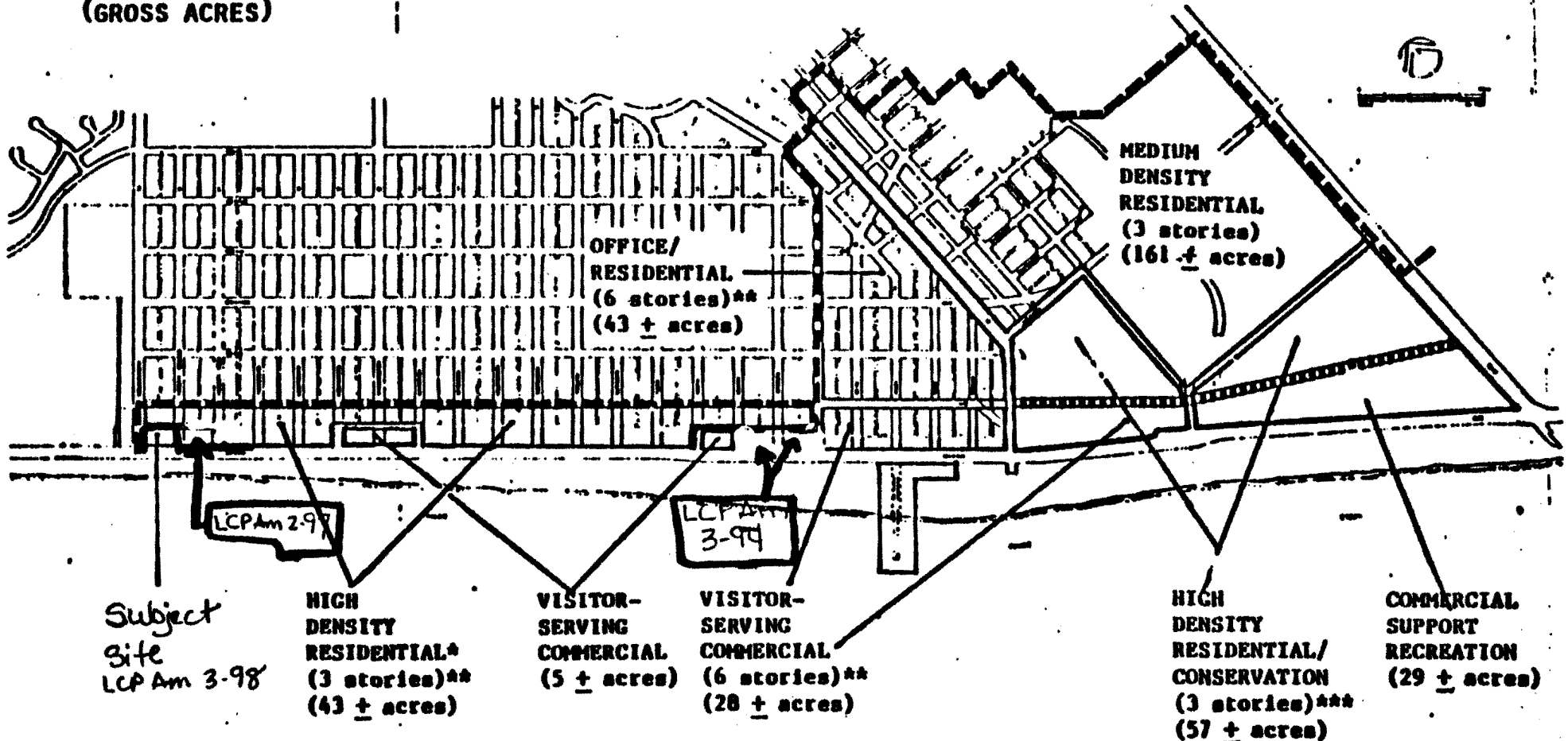
**DISTRICT 1
(VISITOR-SERVING
COMMERCIAL)**

**DISTRICT 2
(RESIDENTIAL)**

EXHIBIT No. 5
**Huntington
Beach LCP A1**
3-98

HUNTINGTON BEACH CALIFORNIA
PLANNING DEPARTMENT

**COASTAL LAND USE PLAN
GOLDENWEST STREET TO BEACH BOULEVARD
(GROSS ACRES)**



Subject Site
LCP Am 3-98

HIGH DENSITY RESIDENTIAL* (3 stories)** (43 ± acres)

VISITOR-SERVING COMMERCIAL (5 ± acres)

VISITOR-SERVING COMMERCIAL (6 stories)** (28 ± acres)

HIGH DENSITY RESIDENTIAL/ CONSERVATION (3 stories)*** (57 ± acres)

COMMERCIAL SUPPORT RECREATION (29 ± acres)

*High Density Option Only Available on Consolidated Parcels
 **See Page 43 for Clarification of Height Limits
 ***May be Exceeded with Reduced Lot Coverage & Greater Setbacks
 **** Conceptual Alignment--Precise Alignment will be Curvilinear and shall Conform with Policy 9e.

EXHIBIT No. 9

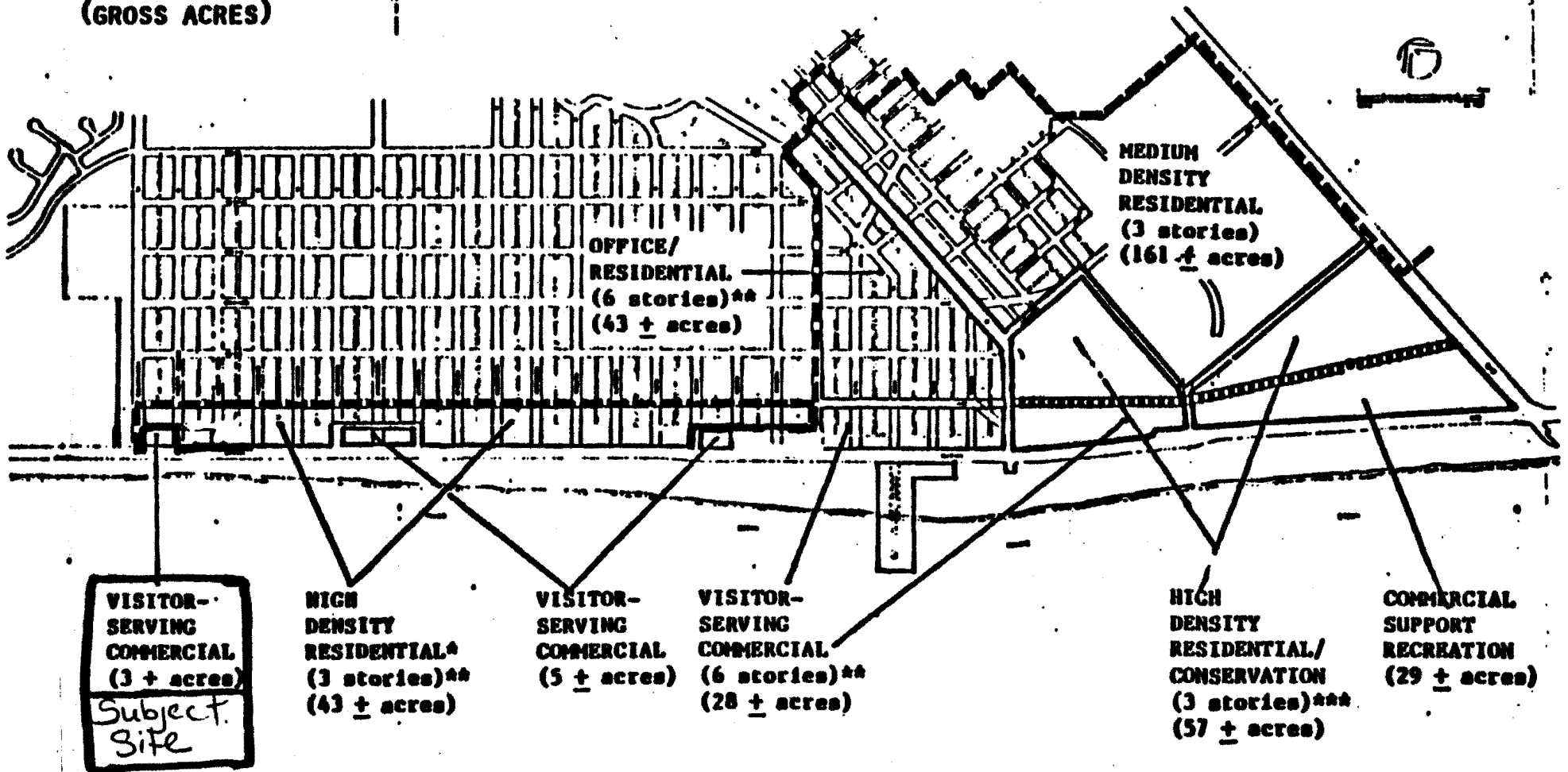
**Huntington Beach
LCP AM 3-98**

California Coastal Commission

COASTAL LAND USE PLAN

GOLDENWEST STREET TO BEACH BOULEVARD

(GROSS ACRES)

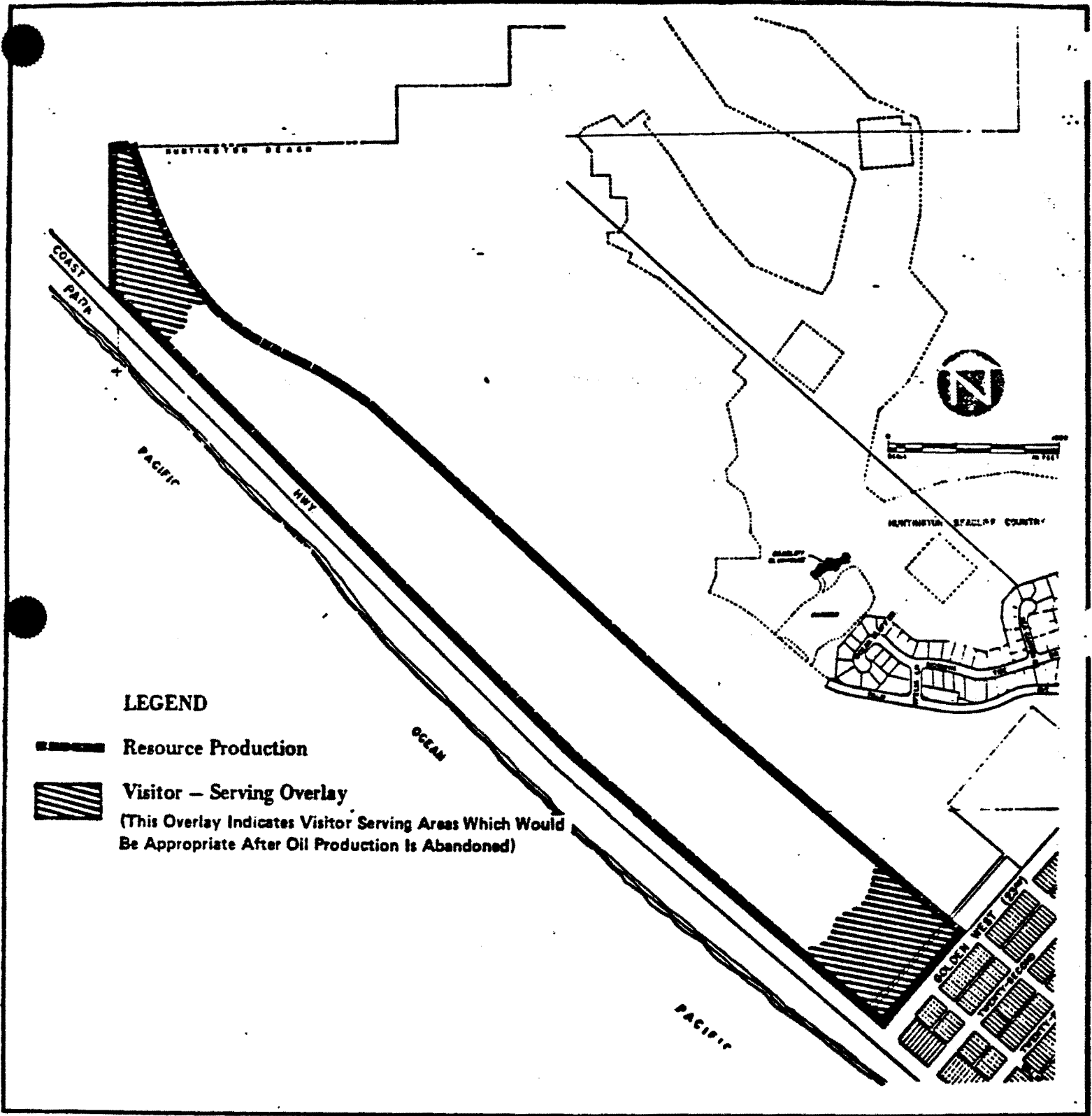


*High Density Option Only Available on Consolidated Parcels
 **See Page 43 for Clarification of Height Limits
 ***May be Exceeded with Reduced Lot Coverage & Greater Setbacks
 **** Conceptual Alignment--Precise Alignment will be Curvilinear and shall Conform with Policy 9e.

EXHIBIT No. 10
Huntington Beach LCP AM
3-98

APR

California Coastal Commission



Certified Land Use Designation at 142 Acre Site West of Subject Site



HUNTINGTON BEACH CALIFORNIA
PLANNING DIVISION

LAND USE PLAN OVERLAY
GOLDENWEST STREET TO
HUNTINGTON MESA BLUFFS **EXHIBIT No. 11**

Huntington -
Beach LCP /
2.02

Figure 9.1